

FILED
02-12-2019
CIRCUIT COURT
DANE COUNTY, WI
2019CV000084

EXHIBIT I

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 15

DANE COUNTY

THE LEAGUE OF WOMEN VOTERS OF WISCONSIN,
DISABILITY RIGHTS WISCONSIN, INC.,
BLACK LEADERS ORGANIZING FOR COMMUNITIES,
GUILLERMO ACEVES, MICHAEL J. CAIN,
JOHN S. GREENE, and MICHAEL DOYLE,

Case No. 19-CV-00084

Plaintiffs,

Case Code 30701 & 30704

v.

DEAN KNUDSON, JODI JENSEN, JULIE M. GLANCEY,
BEVERLY GILL, ANN S. JACOBS, MARK L. THOMSEN,
MEAGAN WOLFE, and TONY EVERS,

Defendants.

**AFFIDAVIT OF MICHAEL DOYLE IN SUPPORT OF
PLAINTIFFS' MOTION FOR TEMPORARY INJUNCTION**

STATE OF WISCONSIN

COUNTY OF GREEN

I, Michael Doyle, being duly sworn on oath, depose and state as follows:

1. I am an adult resident of the State of Wisconsin. I have personal knowledge and belief as to the matters set forth below.
2. I am the County Clerk of Green County, Wisconsin. My office address is 1016 16th Avenue, in the City of Monroe, Green County, Wisconsin.
3. I was elected to the office of County Clerk of Green County as an Independent.
4. I have been elected Green County Clerk 13 times and have served in that capacity for 31 consecutive years.

5. As Green County Clerk, I am a constitutional officer. My authority as Green County Clerk is derived from provisions contained within the Wisconsin Constitution and State statutes. I am responsible for the administration of County, State, and federal elections in Green County, including ensuring the security and functionality of ballots and ballot tabulators; programming election equipment; preparing, testing, and distributing ballots; training municipal clerks and poll workers; assisting municipalities with lawfully implementing voter registration and ID requirements; receiving and tabulating unofficial election results; and overseeing the post-election day canvass.

6. I bring this suit in my official capacity.

7. I believe that the December 2018 Extraordinary Session of the legislature was unconstitutionally convened and that all legislation and actions that occurred during that session are illegal, unenforceable, and void.

8. I believe that I will be harmed, in my official capacity, by Section 1K of 2017 Wisconsin Act 369, which “changes the time during which in-person absentee voting is permitted.” SB 884 Leg. Council Memo at 3. Under Section 1K, “in-person absentee voting may occur from 14 days preceding the election to the Sunday preceding the election, but cannot occur on a legal holiday.” *Id.* These restrictions on early voting limit the opportunities for voter participation in Wisconsin elections, harm Wisconsin voters who would otherwise have broader opportunities to participate in elections, and injure my ability to carry out my constitutional and statutory obligations by impairing my ability to fulfill my duties of assuring that eligible Green County voters are able to participate in the election process.

9. I believe that I will be further harmed, in my official capacity, by 2017 Wisconsin Act 369, which will necessitate my office to expend resources it would not otherwise expend to

educate County election officials on changes to the new provisions governing early voting. In addition, 2017 Wisconsin Act 369 will require me to consult outside entities to determine the allowable methods for conducting early voting in order to ensure compliance by and minimize legal risk to Green County and all municipalities located within the County. These provisions will cause injury to me, in my official capacity, and my office due to the need to make expenditures of time and taxpayer funds that would otherwise not be necessary.

10. I believe that I will also be harmed, in my official capacity, by 2017 Wisconsin Act 369 because its provisions will create confusion among voters and add to the difficulty, complexity, and cost associated with administering elections in Green County. For instance, the Election Administration Manual, which was approximately 20 pages two decades ago, is now 254 pages long. In addition, due to the increased frequency with which the Legislature amends voting requirements, as well as the increased complexity of the election laws, municipalities located within Green County have experienced difficulty attracting and retaining municipal clerks and other election officials. This is due, at least in part, to some prospective employees' concerns about their ability to accurately synthesize and explain to others, including voters, the legal requirements of Wisconsin's voting laws, as well as concerns about the legal and practical consequences that could arise if they were provided or acted upon misinformation. As a result, these provisions will cause me, in my official capacity, and my office due to the constant and ongoing need to make expenditures of time and taxpayer funds to train and re-train municipal clerks and other local election officials—expenditures that would otherwise not be necessary. Finally, voters and election personnel are likely to experience confusion because of the codification of new voter-identification requirements, thereby resulting in the inefficient administration of elections and injury to me in my official capacity.

11. I believe that I will be harmed, in my official capacity, by 2017 Wisconsin Act 369 because the shortened early-voting period and newly codified voter-identification requirements will create longer lines at designated early polling places. Longer lines could discourage voters from participating in elections and anticipation of longer lines will likely increase voter requests for absentee ballots by mail. All of these anticipated effects harm my ability to carry out my constitutional and statutory obligations. Specifically, these anticipated effects will impair my ability to fulfill my duties of assuring that eligible Green County voters are able to participate in the election process.

12. Finally, I believe that I will be harmed, in my official capacity, by 2017 Wisconsin Act 369 because its provisions will hamper my ability to efficiently administer elections in Green County due to the difficulties that individuals with disabilities and the elderly are likely to experience in exercising their franchise rights. These individuals are often unable to travel to designated polling places. As a result, municipal elections officials will often personally deliver ballots to these individuals so that they may legally exercise their right to vote in their own residence. A shortened early-voting period provides less opportunity, and more difficulty, for election personnel to travel to individuals' homes to facilitate them voting. As a result, I, in my official capacity, and my office will be injured by the increased difficulty of guaranteeing the franchise rights of every voter wishing to exercise those rights.

13. I believe that for these and other reasons, 2017 Wisconsin Act 369 will cause me irreparable harm in my official capacity as Green County Clerk.



Michael Doyle

Subscribed and sworn to before me
this 15th day of January, 2019.

